

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8293 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ALVA SEVA CO-OPERATIVE SOCIETY LTD.

Versus

DISTRICT REGISTRAR

Appearance:

MR SURESH M TRIVEDI for Petitioner

MR MR ANAND, GP with MS HARSHA DEVANI, AGP for Respondent
Nos. 1 to 4.

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 23/12/96

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. M.R. Anand,
Ld. Government Pleader with Ms. Harsha Devani, Ld. AGP
for the respondents.

2. It is the case of the petitioner that the
petitioner-society was registered on or around 26/7/1972.

However, the respondent no.1 passed interim order of liquidation on 8/1/1996 and final order of liquidation on 19/4/1996. The petitioner society received the order dated 19/4/1996 on 25/4/1996. The petitioner-society challenged the order in Appeal No.33/1996 before the respondent no.2 on or around 22/5/1996. The respondent no.2, however, rejected the appeal and vacated the status-quo by the impugned order dated 3/10/1996. That is how the petitioner is before this Court challenging both the aforesaid orders passed by the respondent no.1 and respondent no. 2.

3. I have heard the learned advocate for the petitioner and the learned Govt. Pleader/Ld. A.G.P. for the respondents. I am of the opinion that the first order came to be passed without hearing the petitioner and the second order is apparently devoid of reasons. Hence, both the impugned orders passed by the respondents are hereby quashed and set aside and the matter is remanded to the respondent no. 1 for deciding the same in accordance with law and after hearing the petitioner.

Rule made absolute accordingly. No order as to costs. D.S.P.

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